

# **SPECIAL CRANSTON SCHOOL COMMITTEE MEETING**

**MARCH 7, 2011**

**WESTERN HILLS MIDDLE SCHOOL**

**400 PHENIX AVENUE**

**EXECUTIVE SESSION 6:00 P.M.**

**6:30 P.M. PUBLIC SESSION**

## **MINUTES**

**This special meeting of the Cranston School Committee was held on the evening of the above date at Western Hills Middle School with the following members present:**

**Chairperson Iannazzi, Mr. Lombardi, Mrs. Culhane, Mrs. Ruggieri, Mr. Traficante, Mr. Bloom and Mrs. McFarland. Mr. Nero, Mr. Votto, Mrs. Coogan, Dr. Lundsten, Ms. Nota, Mr. Dillon and Attorney Cascione were also present.**

**This meeting was called to order at 6:04 p.m. It was moved by Mr. Lombardi and seconded by Mr. Bloom and unanimously carried that the members adjourn to Executive Session pursuant to RI State Laws PL 42-46-5(a)(1) Personnel; PL 42-46-5L(a)(2) Collective Bargaining and Litigation (Contract Negotiations' Update- Bus Drivers/Tradespeople/Mechanics, Custodians); (Secretary Arbitration Award); (Teacher Assistants/Technical Assistants/Bus Aides Arbitration Award).**

**1. Call to Order – Public Session - Public Session was called to order**

at 6:41 p.m.

The pledge of allegiance was conducted and the roll was called. A quorum was present.

## **2. Executive Session Minutes Sealed – March 7, 2011**

Moved by Mr. Lombardi, seconded by Mr. Traficante and unanimously carried that the March 7, 2011 Executive Session minutes remain confidential. Chairperson Iannazzi reported that there were no votes taken in Executive Session.

Chairperson Iannazzi stated – prior to the public hearing tonight I would like to lay out a few ground rules for the evening. We are going to hear from the students first, students when you approach the microphone I ask that you give your full name and the school that you attend. Please do not give your address. After the students have had an opportunity to speak, we will open up public testimony for adults. Adults when you approach the microphone I would ask for your name and address for the record. All speakers will be limited to three minutes this evening to ensure that all speakers are heard. If your testimony is written I ask that you please submit it to Mrs. Coogan so that it can be documented and submitted with the evenings' record. Finally, and most importantly, I am asking everyone to maintain decorum. I know that this subject matter is very emotional and there are passionate speakers on each side of the issue. However, outbursts and interruptions will not be tolerated. As you can see, we have some fine members of the Cranston Police Department present

this evening. They will be keeping the peace and will escort anyone who interrupts and has any outbursts from this auditorium. That being said we will now hear from students on agenda items. Mr. Lombardi will be handling the time. When he says time, please wrap up.

Mr. Lombardi asked – are there any students to speak on agenda or non-agenda items.

Mr. Traficante asked – Madame Chair, may I ask for some privilege on this committee. We had two students from Cranston West who served on our sub-committee who spoke very eloquently. They were very courageous and they had the courage of their convictions. If possible, may we allow them to speak first tonight - namely, Mr. Eric Borelli and Miss Taylor Grenga?

Chairperson Iannazzi stated – absolutely. And going forward as well, there are a lot of individuals who signed up to speak, if you have already provided testimony to any of the subcommittee hearings and you simply want to restate your testimony, if you could try to be as brief as possible, we would like to hear everyone.

### **3. Public Hearing**

#### **A. Students (Agenda/non-agenda matters)**

Eric Borelli – West Student – Made the following points:

- The Declaration of Independence's first 126 words states that there is a creator, he gives us inalienable rights, he has a moral law which governs man, the government exists to protect the rights he gives and

**below the God given rights, you rule by the consent of the government.**

**- Also the Bill of Rights exists for no other reason than to make sure we have the right to practice what the creator told us.**

**- Also there is no actual wording of separation of church and state in the Constitution or any government document.**

**- Also our country was founded on religion and on God and that is what the founding fathers founded this country on.**

**- Thomas Jefferson signed thousands of his documents, in Christ.**

**- There are also plenty of references to God and religion throughout the country and throughout the government.**

**- The Pledge of Allegiance says, One Nation under God.**

**- God Bless America is sung at most sporting events and at every professional baseball game.**

**- The oath you take in court is, “do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?”**

**- Every congressional meeting starts off with a prayer.**

**- Also the original U.S. seal created by Ben Franklin and Thomas Jefferson was Moses parting the sea.**

**- The top of the Washington monument has inscribed laus deo which means in Latin – praise be to God.**

**- There are also four quotes from Thomas Jefferson in the Jefferson Memorial which three of them are talking about God.**

**- Also our currency says “In God We Trust.”**

**- The preamble of the Rhode Island Constitution states, “We, the people of the State of Rhode Island and Providence Plantations,**

**grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same, unimpaired, to succeeding generations, do ordain and establish this Constitution of Government.”**

**- By taking this prayer banner down we are going against what this country and state was founded on and also if we take down this prayer banner we would have to take down all the references to God which I just stated.**

**- I do not think we should sacrifice our morals, principals, and ethics over money.**

**Taylor Grenga – West Student – Made the following points:**

**- Tonight you will be hearing a lot of the Constitution and there will be a lot of debate about the intentions of the Founding Fathers so I will try to mention something different which is that –**

**- It has been said that you shouldn't put money before personal beliefs and morals but my question is what is the explanation that will be given to students when programs are cut from their schools that are already lacking money.**

**- The ACLJ doesn't believe that we (the School Committee) have a clear chance of winning this case.**

**- When asked for legal advice, the Council has told us that in cases like these it is rare for a prayer be allowed to be kept.**

**- It is an extreme risk to try to fight this lawsuit.**

**- If the lawsuit is not won by the Cranston School Committee what is**

**the explanation that will be given to students and parents when they are told that programs are being cut and their schools are losing money because the money said aside for their education was used to defend personal beliefs.**

**Jessica Ahlquist – West Student – Made the following points:**

- Spoke at the previous two meetings; pretty obvious that I am opposed to the prayer staying up.**
- The prayer is a direct violation of separation of church and state in the United States Constitution.**
- In America we have the choice to believe or not to believe and I believe that having this prayer in a public school full of people with all different beliefs or none, this prayer endorses religion, endorses a specific religion.**
- I and many of my friends and others feel that this is discriminating against us.**
- By having this prayer up it says that our school is Christian or Catholic, monotheistic, and it's wrong.**
- There is also a petition to keep the prayer. In America we protect minorities. Having the majority that you can take away a minority's right is wrong and also un-American.**
- People don't need to choose between their religion and their country.**

**Julia Ahlquist – Western Hills Middle School Student – Made the following points:**

- In favor of taking the banner down.
- When the banner was originally put up they were breaking the law. It was unconstitutional at that time and is still unconstitutional today.

**Alexandra Pizzuti – West Student – Made the following points:**

- In favor of removing the school prayer.
- I believe it is wrong to have a Christian prayer at a public school and I believe that if somebody wants to pray then they should be sent to a Catholic school.
- It is an option and not only does it violate the Constitution but it also discriminates against many people in our school.
- If this was a racism statement or anything people would be quick to act and it would be removed and I believe this is the same thing, it is still discrimination.

**Ashley Arribbee – East Student – Made the following points:**

- I am supporting the banner at Cranston High School West.
- The banner is historical; it is passive because no one is making us say it each day as they come to school.
- This banner is not referencing any specific religion it simply says, Our Heavenly Father.
- It's not just the Christian religion; it's the Jewish religion as well as other religions that believe in the heavenly father.
- In taking the banner down, it's in favor of the atheists' religion.
- Will they take away the dollar bill that states In God We Trust?
- I believe this meeting is wasting taxpayers' money because it's

**promoting a specific religion.**

**Pat McAfee – West Student – Made the following points:**

- Between both middle and high school I have been in the West auditorium countless of times and not a single one of those events have we been required to read the prayer.**
- The prayer is simply up there to remind all of us to strive to do our best and to be a better person.**
- Heavenly Father simply refers to a high level deity which is worshipped in all religions and Amen, although most commonly associated with Christianity is a Hebrew word and has since been adopted by Islam and other religions.**
- One of the main issues that you are facing is the fact that we are on a short budget and this would cost much in legal fees. However, I feel this is what you signed up to do, it to protect your moral values and put that first.**

**Stephen Albro – West Student – Made the following points:**

- Concerned mostly about the principal behind taking down the banner.**
- Aside from my own beliefs in God it seems pointless to me to take down the school prayer when we still say the Pledge every morning in home room which includes the word God in it.**
- The logic behind taking down the banner has drastic consequences for American society. Must we then reform the Pledge and change our dollar bill?**



- Following that logic, everything in American society should either be removed or reformed.
- In reality no one is forcing the prayer on anyone in school. It is just part of our history like the school creed which was erected the same year by the same man.
- I hope you and anyone who is making this decision makes the right decision.

## **B. Members of the Public (Agenda matters only)**

### **David Bradley – Author of the Banner**

- I am the author of the prayer on the banner in question. I wrote it in 1960 as the only member of the School Prayer and Creed Committee. I wrote them both. I am very proud of my work. I was on the Student Council that year and I was asked by the administration of Cranston High School West and by our Student Council Advisor to write a school prayer and a school creed. The school prayer was perfectly legal. We hadn't had the Warren Court yet. Our committee also chose the Falcons as our mascot, another committee chose red and grey as the school colors, these are all part of the fabric of Cranston High School West. They are part of the history of my alma mater and I am proud to be part of it. My prayer is non-denominational; it was constructed that way so that it would offend no one. Before that prayer we used to line up in our homerooms and after the pledge we would say the Our Father and we said it the Catholic way. The Protestant kids and Jewish kids didn't care; they respected it. So my prayer was written for all students and there have been well over

10,000 kids that have attended Cranston High School West since its construction and over that time I don't believe that prayer has hurt or injured or warped a single one of them. They are probably better citizens for having recited, read, or even seen my prayer on the wall. You don't like the prayer look at the blank walls in the auditorium, there's a lot more of them than there is of the prayer. Now one squeaky wheel wants to tear down my prayer. The principal at West says there have been no complaints in over five years and I don't believe there were any in the 51 years preceding that either. When I was in junior high school there was a singing group called The Platters. They are renowned and remembered for a song called, My Prayer. I'm not digressing here; I am going to quote from the last stanza, "My prayer and the answer that you give may they still live the same for as long as we live. That we'll always be there at the end of my prayer." Now, if my prayer is to be torn down or suppressed perhaps somebody will erect another banner in its place telling future generations who it was and what they did to take down my prayer and take it away from Cranston West. Who in the world could be proud of that?

Christopher Young, Narragansett, RI (Speech and petitions on file in the Superintendent's office) -

- We have thousands of signatures from residents of the City of Cranston, parents of children who go to the schools, and children who go to the school that want this banner to remain at the school. These are copies of the petitions we collected and would like them

**submitted into the record.**

- Samantha Wheeler, a student, also submitted signatures (petitions on file in the Superintendent's office)**

- The students have made it clear they want the banner to remain.**

- You will hear lies here tonight that this will cost the city money. This will not cost the city money. Under USC 1983 which is the civil rights code, the federal right code that allows for the compensation of attorney's fees in this case. This case is a nominal case meaning there are no real damages in this case other than painting over a banner. Because it is a nominal case, no attorney's fees shall be awarded in this case. There is core precedent that points to this which is Farrar v. Hobby, which is a 1992 case and Hensley v. Eckerhart and I will submit this into the record (so noted) with this information. Clearly you know this will not cost the city a penny and this type of propaganda to remove this banner will not be tolerated by the citizens of Cranston.**

- Mike Napolitano has taken an interest in this case and believes the city has a better chance of fighting this case if the banner remains up. The city will have a better stand legally. If you remove the banner, we are acknowledging that this is a religious banner and we will sue the city.**

- We have a plan, Kevin McKenna may represent this case and we will sue the city and you will pay attorney's fees in that event okay. You will not have to pay attorney's fees to keep the banner up okay. If you take the banner down, okay, you're violating the United States Constitution establishment clause. You are establishing atheism as a**

religion in the school. Now the US Supreme court has decided in 2005 that atheism is a religion okay. This is a federal court decision. The case is McCreary County in Kentucky v. American Civil Liberties Union of Kentucky. Okay. It's a 2005 case okay. The Federal Courts have decided atheism is a religion. The Supreme Court has recognized atheism equivalent to a religion for purposes of the First Amendment on numerous occasions and most recently in that case I just cited.

- So you are acknowledging atheism as a religion in the school and the school religion will be atheism by removing the banner because you are making this into a religious issue by removing the banner okay and therefore you will be responsible for violating the Constitution and you will be responsible for attorney's fees.

- If you keep the banner up you are acting in a manner where you are saying this is a secular banner okay. This banner has been there for fifty-two years and is historic okay. You are acting in good faith that this is a historical secular banner and passive meaning no one is being forced to read it or believe what it has to say okay. So you will not be responsible for attorney's fees in that matter then okay. So when 900 hundred signatures come from around the area of St. Mary's, or 600 signatures come from the area around St. Mark's, or just over the weekend we collected another 400 signatures around St. Matthew's, people were lining up to sign to keep this banner up. Taxpayers, voters, who put you into office, want this banner to remain. These aren't people that do not vote, these are people who vote okay and want this banner to remain.

- The Alliance Defense Fund, this year, won a case in the Federal Courts in Illinois where it has been decided that prayer is allowed again in school okay. This is a federal court decision okay.
- This is a very winnable case and we will sue okay.
- You can put this banner up in other languages, this is the Jewish religion, this is the Hebrew language okay. This is the banner in the muslim religion (it should be noted Mr. Young showed examples of the banner written in different languages).
- If you change the original contents of the original banner you are violating the Constitution. If you reword the banner you are changing its' historical context intentionally and making it vulnerable for removal and that is unconstitutional okay.

**Stephen DeNuccio, Providence, RI**

- I come to you as one of the few people in Rhode Island that can proudly say, as I said at your last meeting that was victorious over the ACLU over a religious issue challenging me. The result, the teacher quit, we won because I happened to be Catholic.
- I am here today from a different angle. We come from a moral era and I was proud of my parents and we have to set an example to the children here and the example is that we can't back down because somebody came and challenged history.
- Do not be afraid because someone is in your face about a banner.
- There is another issue – if you take down this banner there is a little stone in the front of the school, I believe it says 1958, that's when the school was erected. I think we all want to know that that is more

religious than the banner. That's 1,958 years ago they crucified our Lord Jesus Christ. Might as well take that down too right?

- Heavenly Father and Amen...I've sang it at a lot of churches being a singer, Jewish Catholic, you name it. Heavenly Father means, guess what, I don't know of any religion that has their God still walking the planet so they are all in heaven.

- We have to stand up for our principals.

Kara Russo – Narragansett, RI (speech on file in the Superintendent's office)

- I want to start out with letting you guys know that we spoke with the Liberties Council today. Their mission statement is, "restoring culture by advancing religious freedom, the sanctity of human life and family." They told us they wrote to you Peter Nero a letter on July 26 saying they wanted to help with this case for free but they never heard back. Today they reiterated that they would like to consult with you pro bono to come up with a legal strategy and if the ACLU sues the city for not tearing down the banner the Liberty Council said they would represent the city of Cranston pro bono so I want to make sure you guys know that.

- I want to go into a little more detail into the case that Chris Young just brought up which is that on October 15, 2010 the Seventh Circuit Court of Appeals decided that the mandatory Illinois Silent Reflection and Student Prayer Act passes Constitutional muster. Here are some quotes by the winning side – just because a person is "offended" that someone else might use a period of silence to pray doesn't mean that

**the constitution has been violated and they went on later, such an accusation not only demonstrates hostility to our nations' history and heritage but also a profound misunderstanding of the first amendment.**

**- For those of you that went to church this Sunday I am sure you know what the gospel was, which was Matthew 7, 21, and also 27. (Ms. Russo recited from the gospel).**

**Jim Forti, Cranston, RI (speech on file in the superintendent's office)**

**- I would like to thank the council for getting involved in such a difficult matter such as this. We are asking you to give your opinion and recommendations on words on a wall, not easy especially when the words have made so many people happy and inspired but unfortunately a few offended and maybe even scared.**

**- I venture to say that many people aren't offended when they take out the dollar bill as some said previously and read, In God We Trust on the back or at the nations' Supreme Court where we see the 10 Commandments emblazed on the stone wall. To most folks those are words that inspire, words that guide and more importantly words of hope.**

**- The words on the wall here at Cranston West have given thousands of young people hope and I am sure if you decide to let them stay they will give thousands more hope and if you do this it will be a hard thing to do but it will be the correct thing to do. I am sure if you allow these words to stay you're going to be in for a battle but look who you are battling for. It's those that will be inspired and perhaps go on**

**to do great things you will be fighting for. Not the few that have taken offense but the many who will benefit.**

**- All of us here understand your dilemma. All of those except the ones who try and contrive what they think the letter of the law seems to mean. Nowhere in the Constitution of the United States are the words separation of church and state and let's face it folks, we have so many bigger problems to deal with then just three words. Why is it the ACLU will never compromise? It's up to you council. A very hard task no doubt but at least you have the chance to stand up for what makes sense in a seemingly senseless matter.**

**Liliana D'Ovidio, Warwick, RI**

**- I spoke at the last meeting and stated I have two grandchildren that go to Cranston West and today they passed out a copy of the banner so we could refresh our minds. It's all about values, building character and good things that we want our young people to know about. At the last meeting I had said that with the fact that over 40% of babies born in the United States, are born outside of marriage to an unwed mother. And when I told that to my doctor he said I had that wrong. It's more than 40% so we need more values and more character in all these schools, not less.**

**- I watch channel 21 as often as I can and congress is in session and I like to hear what is going on in the country and they start their session with the words, Lord, God of the Universe and this is congress and then they have people swear in, Under God and all this, this is in Washington. And now, at Cranston West, in little Rhode**



**Island we can't mention God to our children?**

**Daniel Ciora, West Warwick**

**- Our Father, Our Father, Our Heavenly Father, this is a religious prayer and everyone here knows that. Everyone here believes it in their heart. If you believe in God, if you believe in the Christian God then you should be offended that someone would take these words and secularize it. Make it into something not religion. They want to have it both ways. They want to keep prayer in school and yet they want to say it's not a prayer and we could sympathize with that because they are deeply religious people, people of faith but you are supposed to be looking at this as a representative of a state government who is not supposed to establish a religion and that is what you would be doing and we know you would be establishing a religion if you keep this prayer up because it was written to be a prayer. It was written by a student and the Supreme Court has consistently held that the school shall not write a prayer, that's establishing a religion and that is what is happening here. When you refer to the Heavenly Father you're not referring to the God that Judaism worships in fact that was a huge demarcation between Judaism and Christianity. Judaism talked about God reverently, and it kept God at a distance. Christianity came in and they made God personal, a father, and this is a very spiritual and very religious idea. The Muslim religion doesn't believe in Our Heavenly Father, atheists don't, Hindu's don't, this is why it is unconstitutional. You are not supposed to be establishing a religion and to say that you would be**

sued for keeping it up is wrong and I am not going to say it's a lie but it is incorrect. It is not right to keep this prayer up, you can take it down, you won't be sued. It will be a frivolous lawsuit.

**Marie Tomlins – Cranston, RI**

- I have a few family-type things to say about this affair.
- The gentleman who wrote the prayer, when he was a young student I imagine was quite inspired by good things in life and I am sure he was proud as could be and yet no one has mentioned his family, his mother, his father, his relatives who took probably the greatest joy of their life when some child is inspired by good things and could put a plaque on a school wall for the rest of the school's life must have been wonderful for the parents. It's about family, inspiration and faith.

**Dick Tomlins – Cranston, RI**

- Maybe I should say Amen and sit down.
- Neither Marie or I have been residents of this city or this state; we have been around for about twenty-one years. No one from our family has ever gone to a school in Cranston. No one ever will - grandchildren or otherwise so somebody might ask the question, why are you involved? Well, we are citizens of humanity and when we see something like this go in it forces us to stand up and be counted. You know there is an old axiom, if you declare war which the ACLU has done; you force people to take sides. You could look at this from the outside looking in and say what a bunch of minutia. I could say that too except that it is so important. It is so important to the city of

Cranston, all of our citizens. I have a lot of empathy for all of you sitting up there tonight who have to make a decision. I know most of you personally to some extent. Mr. Bloom is the new Bloom man but what he has done so far on this committee I have learned an awful lot about him. It's an awesome responsibility because what you are dealing with here is your head and your heart. We know where the heart comes from; the head is the problem of finances. Nobody has brought up finances and the lack of giving proper credence to the finances of this city than yours truly. However, sometime common sense in the good of the public trumps all and I think this is a case where it does.

- Let me give just two examples of being a veteran. If you're in a foxhole and your buddy who is an atheist has just been hit by a bullet and he is dying and you cradle him in your arms you know what he doesn't say? Go thank that guy who shot me I'm ready to go. Save the bullet and send it to my family. I think he might have something else to say. If any of you watched 60 minutes last night, Hitchens who is a well-known author, a well-known atheist, Hitchens (Christopher) a provocateur, brilliant with words and now he has stage 4 cancer of his esophagus. He says he has about a 5% chance of pulling through. At the end of the program the interviewer was asking him, well how do you think this is going to come out, you're not a prayerful man, you're not asking for help from the heavens, he said, no. He said, well supposing someone prayed for you and you recovered. His response was, I've always accepted imaginary things, I've always accepted things that may come my way. You can interpret that any way you

want but I know how I interpret that.

- One last thing, like the Ohio and Wisconsin affairs, where war was declared and now people are taking up two sides. When I first started looking at that I said, boy what a war. But do you know what I think now? I think they brought this issue to the public's attention to the degree that people are now forced to think about public education, about how we treat teachers, about how we send up our budgets to do that. So maybe we should say thank you ACLU because they've forced all of us to start thinking about who we are, what we are, where we came from, what this country is made of and now we're going to stand up and look at ourselves and say, thank God we're here tonight.

Gail Bamford- Cranston, RI (speech on file in Superintendent's office)

- This hasn't been said by anybody, this is something different. I thought about it, I had the opportunity to visit Mother Teresa in Calcutta before she died, Praise God. In a conversation we had, she said in Calcutta we have the worst poverty in the world but the disease is on the outside. We can fix it; we can give them medicine, we can help them. The poverty is even worse because it is a disease of the spirit. The kind you can't see. This country with all its materialism is rotting from the inside out with it's all me, me, me, my rights, my rights, more, more, nobody is ever satisfied and can't be satisfied. It is a spiritual hunger that people...we don't even know that we have. It's just one more example of the decline of this country coming from our young people and that is really sad. Whatever

**happened to - We the people, Under One God? Mother Teresa said, go back to your own country and pray for them. They need your prayers more than we do. Amen.**

**Debbie Flitman – Cranston, RI**

**- I wrote everything out and I am just going to read right through it. (It should be noted this speech was not submitted into the record by the speaker).**

**- First I would like to address Ms. Culhane. Ms. Culhane in reference to your statement at the last subcommittee meeting when you called the parent that brought this matter to the attention of the ACLU a coward because he/she did not go to the School Committee first with their concern instead contacted the ACLU was in my opinion not reasonable nor professional. Calling this person a coward has never crossed my mind. In my opinion this parent was rather brave. Has it occurred to you that maybe this parent was concerned for their safety? I have been following this issue in the newspapers and on-line and have read and even heard at meeting that this person has been called names. I have read blogs on-line that seem to insinuate physical harm to this person. Finally, what would have been different if this person had gone directly to the School Committee? Would you have simply done the right thing according to the law and removed or amended the school prayer?**

**- I do, however, give you the benefit of the doubt. As adults we understand how sometimes folks get caught up in the heat of the moment and spontaneously say things that may not come across as**

**we hoped. So I am going with this belief and that you calling this parent a coward is not really what you meant to say.**

**- Now to be direct and respond to the issue at hand I would like to say it's been hard for me to believe that from one prayer painted on a wall at Cranston High School West and apparently a similar prayer message at Bain Middle School, all of this has taken place. This media coverage, tempers flaring, name calling, police escorts, it's out of control. I've been following this issue since it began months ago in terms of how it affects me and my kids and the following is directed to all of the School Committee members; I have said to myself, who am I in all of this? I am a parent of two school-age children, I live in Cranston, I pay taxes to the city of Cranston, and was part of the process that elected you to this School Committee. What defines me in all of this? My morals, my values, my personal ethics, my compassion and the ability to follow the rules or laws even if I don't agree with them. What doesn't define me in all of this is whether or not I believe in God. What doesn't define me in all of this is what religion I may or may not practice.**

**- With that said I would like to address a couple of additional items. First I would like the members of the School Committee here tonight to look at the facts of this issue and at the same time I respectfully ask that you leave your personal beliefs and religious ideologies at the door while considering the issue at hand. As Mr. Nero has stated at previous meeting and I quote, "As Superintendent of Schools many of the recommendations that I must make to the School Committee are based on what must be in the best interest of the entire district.**

**That always means separating my principal bias.” I believe Mr. Nero’s statements hold true for all that sit on the School Committee. This matter is about Cranston. The residents of Cranston voted you into office not the residents of Providence or elsewhere. Not based on your religious affiliation, not based on whether or not you believe in God but because we thought your business experience coupled with your drive to have a better school system would make you a better and dedicated member of this committee. I think it is very important that you remember all of these things as we move forward. When you look at the Cranston High School West home page there are several links there via the curriculum connection that link to sites that clearly talk about the separation of church and state.**

**- At a prior meeting reference was made to the murals historical value. I can accept the fact that to some the prayer mural holds a special place in their heart based on their history of attending West but I think that is where the historical value ends. The prayer mural is not listed with the Cranston Historical Society.**

**Denise Paquet, Cranston, RI**

**- Tolerance and respect, these are two key principals that distinguish America from the rest of the world. Tolerance and respect for others that believe differently than ourselves. We see very vivid examples of intolerance in today’s society, the Middle East, they’re all Muslims, why don’t they unify? In America we have the right to believe what we want to believe and we respect and tolerate the beliefs of others. We encourage that and nowhere is it more important than to be**

encouraged in the schools. The Supreme Court has recognized the importance of the free-flow of ideas in schools. In *Keeshan v Board of Regents* where the judge indicated the classroom is particularly the market place for ideas. The nations' future depends on leaders trained through wide exposure for robust exchange of ideas. I commend Taylor who was on this subcommittee. She offered a suggestion and rather than taking the banner down while don't you consider putting other banners up that present a different point of view. (Ms. Paquet explained samples of different banners). God is being chased out; that's not a free-flow of ideas. I commend these students that come up here and present their point of view but we all have a point a view and why not teach and encourage the exchange of ideas and give the children the tools that they need to decide for themselves.

- As Chris Young had pointed out, atheism is a recognized religion by the US government, removing this banner from the wall, ultimately you are endorsing atheism. You are promoting one form of religion and I respect them for their belief. But just as they are offended by this banner that they are not forced to read, they are not forced to look at, they are not forced to recite, why is their belief being forced on me and my children? Encourage the flow of ideas. Taylor is dead-on. She is absolutely right; they should put up other banners. Encourage student projects to have a free-flow of ideas. You don't have to look at them, you don't have to read them but demonstrate tolerance.



**Robert Baglini – Cranston, RI**

**- I have been humbled by a lot of the words that were given by the believers here and I can't add too much more to it other than my own heart-felt feelings.**

**- We live in a very unique country. It's the only country that accepts every single religion including atheism and our country as a reminder, and as you certainly well know was founded on Judah Christian ethics. Right from the beginning of time, more than 200 years ago, everything was based upon that and as you know it's in our scripture, our monuments in Washington, it's in our courtrooms as well. Everything was based upon that all throughout the years that we never received any adverse hoopla so to speak. Perhaps we had but not to the extent where it gets into courts and the minority is up winning over the majority. Isn't everything based on majority opinion? Now I understand the laws have changed because since 1961 Marilyn O'Hara got this ball rolling and got the minority which is considered a very few from what I understand in comparison to the Christian and Judaism and all the other religions that are substantial here in the United States. It is something that, when are we going to draw the line? When are we going to say the majority has a say in this matter. One teenage girl, with her opinion, from what I understand, went on Facebook and it got out of hand. And, I am sure with what she has said she sounds very sweet and very lovely. But it seems like everything got out of hand in a way she really didn't want it to go but now it went as far as the ACLU and they are an atheistic company as far as I am concerned and they will deal in all of this.**

- In regards to the ACLJ, Chris Young did address this very eloquently, he brought out the facts quite true that the ACLJ...from what I understand they did not know all of the facts because it was submitted to them quite some time ago and I am sure if they ever heard all of what is on the record now they would certainly reconsider.

Richard Paquet, Cranston, RI

- Just wanted to let you know we all voted for you people, you're sitting in these chairs representing us, the taxpayers. We voted for you, we put you in. You have tough decisions to make. We hope that you are going to make the right decision okay. I have just under 1,200 signatures from the city of Cranston resident taxpayers and there are a lot more coming. A lot more. I could not believe the people who were waiting in line to vote for these things. They spoke to me for hours upon hours and they hope you do the right thing. They want us to remind you that we are the taxpayers and you are elected officials by us. Please don't forget that. We need more of this. These children today; we need more morals. By taking this down it's just not right. Let's do the right thing. It's not a Catholic issue. This is a nondenominational banner. It's Our Heavenly Father and Amen, come on, give me a break. You read the newspapers that people are complaining that this is ridiculous with the financial problems that we have, well it's ridiculous for them to bring it us to even get this far. I hope you all do the right thing and you get our vote next time.

**Paul Auger, Cranston, RI**

**- There are a few issues that I want to address. First of all I want to clarify something about atheism and I am a member of the Rhode Island Atheist Society. Atheism, although the Supreme Court did indicate that atheistic organizations do fall under the same tax categories as religious organizations, atheism itself is not a religion. I want to be really clear about that. Atheism simply states that we have not seen enough evidence to decide whether or not there is a God. There is not enough data available. It does not indicate that there is no God, it indicates that sufficient evidence has not been presented as a true statement.**

**- A religion as Chris Young said is a system of beliefs. Once an atheist gets past the one idea that we don't have any evidence of there is a God there is no system of rituals or rights. Therefore atheism would not qualify as a religion. Therefore taking the banner down would not endorse the religion because atheism is not one.**

**- Additionally I want to say the banner itself is insulting to students. What I mean by that is, I am a teacher at a private school and I work with young people every day and I see fabulous things coming out of students with or without a belief in God. What the banner suggests is that our students are not sufficient in themselves. What the banner suggests nobody has a problem with the morals but the idea with the concept of justice and fairness and honesty and good sportsmanship that the banner calls for. But by saying that our student in and of themselves are not capable of doing that without the help of an imaginary friend in the sky, demeans and demoralizes our students.**

**Our students do not need magic to be good. Our students are good and our students are worthy of respect and justice and our students are sufficient in and of themselves.**

**- I think it was self-evident a few minutes ago I and many other atheists are sitting in your audience and we are supporting the dynamic students who have taken the responsibility and have used their voice to make their ideas heard. Whether you agree with those ideas or not, I think we need to give those students credit for being so courageous and for getting involved and for putting ideas out there. I do want to point out that not one atheist has booed anyone here. Can we say that about the other side?**

**Prior to taking a short break Ms. Iannazzi noted that Representative Doreen Costa as being present.**

**A five minutes recess was then called.**

**The meeting reconvened at 8:10 p.m.**

**Ronald L'Heureux, Cranston, RI (Speech, DVD, and petitions on file in the Superintendent's office)**

**- I am speaking on behalf of the Hispanic Ministerial Association of Rhode Island and my church, the members of the Cranston New Life Worship Centre. First of all I would like to pick up on what Eric said about the preamble to our Constitution. You have some lawyers on the board, you know that the Rhode Island Constitution is the**

supreme law in the state of Rhode Island. There is no higher authority than that law. That being said I would like to read that into the record: We, the people of the State of Rhode Island and Providence Plantations, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same, unimpaired, to succeeding generations, do ordain and establish this Constitution of government. I want to emphasize that part about unimpaired to succeeding generations because it is my opinion that you are violating that part of the constitution which is the supreme law.

- I have submitted to the board a DVD, if anyone else wants to see that DVD you can get it on You Tube, it's a constitutional tour of the Capitol by David Barton and it is very, very enlightening. In that video it explains the first bible that was ever printed in America and was authorized by congress for our schools and the inhabitants of this country.

- I have also submitted to Mr. Nero and Mr. Traficante before a book called "The New England Primer" I don't know if the rest of the council got to see the book. If they didn't could you make that available to them please? I am going to read a little piece of it. The New England Primer was introduced in 1690 by Benjamin Harris. It was the first textbook printed in America for a century after its' introduction it was the beginning textbook for students and until well into the 17th century it was an edition 1930 it continued to be the principal text in all types of American schools, public, private,

**semi-private and parochial. The Founders, as well as millions of other Americans, learned from reading The New England Primer and the Bible. And, when you look at The New England Primer it is replete with sections from the Bible.**

**- Next I sent a letter to the ACLU on February 20th I believe asking them to withdraw this petition. So far they claim, I called them today, they claim they did not get the letter. I faxed it to them this morning so now they can't claim they didn't get the letter. All you council got it when I emailed it to you asking them to withdraw the letter because we feel what they are doing is content based discrimination. They are discriminating against us for that.**

**- The second point I would like to make it about what some people have said is the morals in this country. In that letter that I sent to the ACLU, had a quote from John Adams, it said,  
[W]e have no government armed with power capable of contending with human passions unbridled by morality and religion...Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.<sup>31</sup> (emphasis added)**

**- The Schoolmaster, Noel Webster was....everybody is familiar with the Columbine shooting and what happened in Columbine? This is a statement from them:**

**A tragedy is but the latest albeit the most horrific and costly of a steadily escalating series of schoolhouse horrors that have swept across our nation. The senseless brutality of these calamities clearly**

**reveals that a dangerous sub-culture of amoral violence has taken hold among many youth. We must remember respect and unashamedly take pride in the fact that our schools, like our country, found their origin and draw their strength from faith based moralities that is the heart of our nations' character.**

**Brenda Myette, Cranston, RI**

**- I appreciate living in a country that has public hearing that everyone can come and speak their piece and point of view and I think that has been allowed tonight.**

**- The main reason I am here tonight, I am in favor of keeping the banner and the main reason I am here is to be sure that when the decision is made, it is made on the basis of what all of these people have spoken tonight, both the pro and con and not because it is going to cost money. I hope the decision is not made based on what it might cost rather than what the public has spoken for.**

**Linda French, Cranston, RI**

**- For one thing I would like to challenge each and every person right now to take out a dollar bill and look at it. Those of you who are against God rip it in half. I don't hear any ripping. I wonder why. Is that because you're not really against God? Leave the banner as it is. Don't touch it because if you do that you are spitting in the face of Almighty God and you might as well take that flag up there and set a**

torch to it. People have died for that flag. People have died for the right for us to have a banner up that says Almighty God. It doesn't hurt you to look at it. If you don't want to look at it, don't look at it. (At this point Ms. French was asked to direct her comments to the School Committee members and not members of the audience).

- Also, right here I am holding 464 signatures obtained from residents, taxpayers and voters in this city and that's the city of Cranston. Currently many of these residents, they currently go to Cranston West or they are alumni. These people want the banner to stay up.

- Furthermore I wish to say that on 2001, on November 11th, remember that terrible day? Where was everybody? Do you remember where you were because I do? I remember where I was. The churches were full that next Sunday. How can we claim to believe in God and yet want to take down a banner that has Almighty Father and Amen? Tell me that. We're going backwards; we're not going forwards people. Come on, this is ridiculous and the students really need to wise up and say, wait a second, maybe I'm being indoctrinated wrongly because Almighty God does exist. Insofar at the atheists, you know what; you are entitled to your opinion in however wrong you are, okay. But the fact of the matter is God exists. Look at a perfect baby. I just want to say if this banner is taken down you are indeed establishing a bunch of people who are not going to honor God and on judgment day you will be judged when you stand before Almighty God and you don't want that.



**Ray Boscia, Cranston, RI**

**- Would you mind if I read this prayer and I hope it doesn't offend anyone....**

**"Our Heavenly Father,**

**Grant us each day the desire to do our best,**

**To grow mentally and morally as well as physically,**

**To be kind and helpful to our classmates and teachers,**

**To be honest with ourselves as well as with others,**

**Help us to be good sports and smile when we lose as well as when we win,**

**Teach us the value of true friendship,**

**Help us always to conduct ourselves so as to bring credit to Cranston High School West.**

**Amen"**

**- Could any of you on this board tell me what is wrong with this? Am I that stupid, am I ignorant? If this something that is offending anyone? Did they get up one morning, these...I won't look at them...the atheists that are present here and just say, well you know what let's get on that sign, that's wrong. Why didn't they do it ten years ago or fifteen years ago or twenty years ago or a year ago? Why all of sudden they just decided, we're going to get on this? All I can say is God help us if this gets taken down. This is wrong.**

**Mary Genco, Cranston, RI**

- I am here tonight to represent two people, the first one is my son Daniel who is junior at Cranston High School West and he was unable to get off work this evening so he asked that I speak on his behalf and he said he never thought he would see the day where someone would challenge that while he was in school and he supports it remaining the way it is.

- Now I represent myself and I must say although I know there is a new member of the committee here, over the past 20+ years I have stood before this committee on many, many occasions representing a very underrepresented population. The decision to speak for this population was very difficult for me. I used to be a very quiet and shy introverted individual. Why did I do this? I did this because it was the moral and ethical thing to do. At times I was not a very popular person when I stood before the School Committee representing this population but I did what I had to do because it was the right thing to do. That being said, the right thing to do is right is right, wrong is wrong and although I know it is a difficult decision for you guys to make I ask that you vote to keep the banner up.

- My last comment would be, the gentleman who wrote the school prayer and the school creed, I would like to see Mr. Knowlton ask him to come speak before the population of Cranston West and explain what he just explained to us tonight. I think the students would enjoy that.

Jean Feole, Cranston, RI

- I am a life-long resident of Cranston and an alumni of Cranston High

**School West.**

**- In 1967 they used to say this over the PA system in the morning and we would say the Pledge of Allegiance, and we would just told to put our heads down if we didn't agree with anything that was said. Nobody ever said a word and we went about our business and I think we were better for it. I think the thing these people have been saying about morals and values is true. We need more morals, more values in our country and that is what missing from our young peoples' lives today. We would be a better nation for it if they had more of this. And these people that say, these people want to have prayer in school should send their kids to parochial schools. While I have spent thousands of dollars educating my child who went to Bay View and I never took my taxpayer dollars and said I wasn't going to pay them because I send my child to Bay View but I think that maybe we should be able to do that if we have to in fact do that. That's what I believe that that is why I came up here.**

**Dr. Judy Gallagher Caputo, Cranston, RI**

**- As a taxpayer, business owner, and parent of two students in this school system I implore you all to not check your morals at the front door because we elected all of you because of your morals, because of all your attributes and what you believed in. I am not from Cranston, I grew up in the city of Boston. In order for me to go to a public school in Boston I would have been bused half way across the city. I moved to Cranston and my husband who is a life-long resident of Cranston, said, oh, no, the schools in Cranston are great, they are**

great schools. I insisted they go to a private school because of my upbringing and after a few years my children were not doing well so I transferred them into the public schools in Cranston. My goal is always the highest common denominator for my children and all the kids. I feel like we are losing the fabric of our society in Cranston. I have only been here for eighteen years and I always marvel when...my son plays football for Cranston West and I'm always...I can't believe how generations go to football games and all these people know one another. This is a Pollyanna that we have in Cranston. You don't have that in West Roxbury where I grew up. Everybody goes to private schools and then you don't know your neighbors, you don't know, at least I didn't, growing up. This is a special community where we count on the school board, we count on you guys to keep the fabric of our community one of family and morals and the highest common denominator for all of our children. Not just the lowest common denominator for a few. I implore you to think of all your values growing up and think about what you would want for the highest common denominator for every kid, what their hopes and dreams are and what will help them achieve the values of the fabric of Cranston. You guys don't know what you have here and it's falling apart, it really is. You guys are cutting the budget. Next year, there are CP and AP classes together. We're downgrading everything to the lowest common denominator. Please, please as a parent, as a business owner, as a taxpayer and as a citizen in Cranston, please don't ruin our way of life by asking the children not to be able to have something to look at and follow as a fabric of their

**lives so that when my son and my daughter go to the football games and I'm a grandparent, hopefully, and my grandkids are playing football for Cranston West that that banner is still up teaching kids what is right and how to live.**

**Dr. Doug Wardell, Wakefield, RI**

**-I am the one Mr. Nero and the committee who wrote to Liberty Council initially. I gave you the information that they would defend this if it ever went to court pro bono. I am the person that sent that letter and asked them to do that for the record. I did that back in July and back in July the first thing I said after the Pledge of Allegiance was, why are you so concerned about this banner when you just got through saying, One Nation, Under God. Why are you so concerned about that? Now, the banner does not cite God or Jesus at all, it simply begins with Our Heavenly Father. But the few have stated they are offended by that so why should the many concede to the few? I am tired of conceding ladies and gentlemen. I am tired of conceding to the ACLU. I say it is time to stop the ACLU's effort to blacklist our faith and I think this is what it is doing. Blacklisting our faith. People have said something about the Constitution here. The majority who signed the Constitution were pastors and religious people with a firm belief in their faith but they argued for no one faith but all faiths. The words Heavenly Father covers all of that but I don't believe any group has the right to restrict my belief in public places, which I believe this is what this intends to do. I don't think anyone should stand for that. So I ask you, in all seriousness, are we willing to give up our morality,**

are we willing to give up our ethics, are we willing to give up our beliefs just because of a few complained. I am not sir and I don't believe the rest in this room are.

**Peter Paoella, Cranston, RI**

- I am a proud parent of a student at Cranston West. I didn't come tonight to repeat what I said over the summer about my support for the school prayer which I believe the Supreme Court has ruled acceptable but I will reiterate one thing for my friend from Warwick and that is what Justice Kennedy said in the most recent decision – the goal of avoiding governmental endorsement of religion does not require the eradication of all religious symbols in the public realm. That was a victory. This is a very different Supreme Court that we have.

- I would like to discuss something ironically Chris Young spoke about it and I defer to the legal counsel and the attorneys on the committee, the Civil Rights Attorney's Fees Act of 1976. This is the law that allows the ACLU to collect attorney fees from our city if they win the case. This is from that....it says the Court in its' digression may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the cost. The only exclusion there is the United States and it also says expert testimony fees can be added to that. Another interesting thing was in 2006 the United States House of Representatives passed the "Public Expression of Religion Act." This law excluded religious exhibition cases from the Civil Rights Attorney's Fees Act so unfortunately the Senate didn't pass it

but if they did and the President had signed it; we wouldn't be arguing this today. However, in the judiciary, this case has not been tested. The Civil Rights Attorney's Fees Act of 1976 hasn't been tested as to two things, if the City of Cranston is entitled to the fees if the ACLU loses as stated in the excerpt that I read and more importantly if this law is Constitutional in itself, I mean, equal protection, due process, I am sure the legal team here can expand on this. The ACLU has used this law from coast to coast as a cash cow bullying cities into either dropping suites or paying their fees. I say that the City of Cranston should represent all of the cities and towns in this country and fight this, fight this so that we can get a final answer. If we win the case we sue the ACLU for fees and if we lose the case we refuse to pay their fees until it is constitutionally affirmed. We will win in this Supreme Court. I say we fight the good fight, America needs a hero and let's be the hero.

Al Raposa, Cranston, RI

- I want to refer to Darwin, I want to refer Adam and Eve, I want to refer to the Buddhist religion, the Koran, the Big Bang, the Rising Sun, all that you can think of. They all had to believe in something and we all should. I don't understand why the banner has become such a great issue but I can tell you this, council, superintendent, if this is a representation of how the people in Cranston feel, I heard some great things here tonight but there was a woman who came up here and she spoke and she said, leave your feelings by the door and vote for what the people are telling you to vote for because we're the

ones who put you there. Okay. Ms. Culhane I remember you speaking at the last meeting and you talked about having to wear three different hats at this time. Your constituents are telling you how to vote. Pay attention because I said it before, if we give them an inch now then we're going to give them ten yards later so again, pay attention to your constituents.

Randy Oxley, Cranston, RI

- I was born here; I'm going to die here. I went to West I am red and gray, I am a Falcon. Every time I stepped into the auditorium, it never fazed me. I looked up at it, I read it, I looked at the school song, I still know the school song by heart. I have no problem with it and another thing I don't believe in God but that does not bother me at all. That sign does not bother me at all, it should stay. And if the ACLU has a problem with that I will get a lot of people to surround that building when they try to come and take it down. I hope you do the right thing and vote the right way.

At 8:40 p.m. conclusion of speakers was noted.

Chairperson Iannazzi stated – the way we are going to proceed moving forward is we are going to have someone move and someone second the first resolution and then Mr. Traficante is going to summarize the sub-committee process and then the Superintendent is going to give his remarks and we will open it up to the School Committee at that point. Is there a motion on 11-3-1. Moved by Mr.



**Lombardi, seconded by Mrs. McFaland. Discussion.**

## **RESOLUTIONS**

**Sponsored by Mr. Traficante and Mr. Lombardi**

**NO. 11-03-01 - Whereas a subcommittee of the Cranston School Committee was formed to recommend possible solutions to the ACLU lawsuit, if filed, regarding a banner at Cranston West;**

**Whereas the subcommittee met and recommended defending Cranston against the ACLU's lawsuit;**

**Be it RESOLVED that the Cranston School Committee hereby approve the recommendation of the subcommittee to defend, if filed, against the ACLU's lawsuit, if filed.**

**Mr. Traficante stated – the banner sub-committee as you well know was established by a resolution of the School Committee. We did meet on two occasions, once in November of 2010 and also in February of 2011. I was chairman and was accompanied on the committee by Mr. Lombardi and Mrs. Culhane from the School Committee, Superintendent Nero, our solicitor Ron Cascione, two volunteer students from Cranston West, as well as two volunteer parents. The issue before us was three-fold. Number one, either keep or banner with no alterations, number two, remove the banner totally or number three, alter that banner such as a school creed or have**

other banners there representing other religions. I can assure this committee that we discussed and debated thoroughly this issue by the committee and by dozens, dozens of citizens who attended both meetings as well as tonight. However, the majority of those that did speak were supporters of maintaining the banner status quo. However, there were critics and there were minority report in that. Copies of all minutes were given and distributed to each member of the committee for you to read their testimony. Although it was a very sensitive and polarizing issue I must commend all those that did attend. They were eloquent and they certainly respected the rights of other peoples' opinion. We called upon our solicitor to do some investigatory work which I am sure he will reveal tonight to help the committee to move forward but during our second and final meeting the subcommittee voted to recommend defending the banner and have it remain in place with no alterations. There were seven members on the committee, three were in favor, one was undecided, and one voted to remove or alter it and promote other regions. Unfortunately the two volunteer parents were no-shows. End of report.

**Superintendent Nero stated –**

**As superintendent of schools, I have the responsibility of overseeing and in fact I am in charge of all aspects of the day to day operations of Cranston Public Schools.**

**The new Basic Education Program (the BEP) which supersedes the old BEP gives the Superintendent even much more responsibility**

over the Local Education Agency commonly referred to as the LEA than ever before.

On July 1, 2009, I assumed the position of Superintendent of Schools. On July 5th, five days after starting my tenure, not only did I realize that I assumed all responsibility for my actions decisions of all district employees and students moving forward, but I assumed the actions and decisions of previous Superintendents, employees and students of past years.

It was on July 5th that I found out that one of my custodians was secretly taped while he was fraudulently changing a time clock for himself and a number of employees. No one knows who taped it or why, nor how many times that it was done.

On that evening, I received a phone call from the Mayor's chief of staff who told me that someone had video recorded an employee prior to my becoming superintendent, to quote, "The good thing Peter is it didn't happen on your watch." My comment back to her was, "good, then perhaps you can call the superintendent whose watch it was to handle it."

Of course that would not be the case as I spent the next year in litigation, arbitration and hearings in order to do my due diligence in doing what was right which was in terminating the employee.

Ironically, almost one year to the date, on July 6th 2010, I received a letter from the ACLU, threatening litigation regarding a complaint lodged by someone unknown to us, to quote, "there are people, like our complainant, who have been offended by or concerned about it but who were fearful of coming forward" unquote.

Now, the words written on the wall at the West auditorium to the best of our collective knowledge was posted 51 years ago when I was seven years old. Pretty much like the custodian, it was not on my watch.

After receiving the letter from the ACLU last summer, I immediately called Steve Knowlton to ask the principal if anyone had complained to him and he responded, no.

Realizing that sometimes complaints bypass the principal and go directly to the Briggs Building, I asked the folks at Central Administration the same question with the same results, no one knew of a complaint.

So, the district had no opportunity at any level to possibly resolve this matter and instead the complainant went directly to the ACLU and as expected, Cranston Public Schools has drawn national attention for something that has sat harmlessly on a wall for nearly seven decades.

I want everyone to know that I do not find the ACLU to be the villain in everything that they represent as many speakers have characterized them publically over the last few months.

Recently, the ACLU has been quite vocal in their disapproval of the strict guidelines proposed for the requirements for a Regent's Diploma. In that matter, I agree with the ACLU in that I believe to some extent that a three tiered diploma system would be discriminatory toward our poor and minority students.

At the risk of sounding redundant, you have heard me say on at least two occasions that I am A Roman Catholic and an active member of

my church. That I am a lector, and this past Saturday as lector, I recited the Old and New Testament readings, for which Roman Catholics are in the 9th week of Ordinary Times in our Liturgical year.

My wife has been a Catechist for the past 12 years and my son was an alter server from First Communion to Confirmation. We enjoy a wonderful relationship with our Pastor and our Congregation.

My personal test of my faith was challenged when my son was 4 years old and he was diagnosed with cystic fibrosis, a life threatening illness. Through my son's struggles with his health, and in my personal journey of life, I have struggled to control my anger and realize that bad things do happen to good people, despite how faithful they are.

So this issue with the words posted at West, the same school my son attends, who is as conservative in his beliefs as any young man can be, has that personal twist as well. My son and I are polar opposites in our political views.

In the past, you have heard me say that we cannot afford any more litigation as we already have had enough.

However, there is a feeling among many including myself that we are being held hostage by our finances in this situation by an institution that has unlimited financial resources and attorneys.

If we should remove the words on the wall unfortunately, we lose by default.

As many of you know, immediately after the ACLU letter I recommended that we look at rewording the prayer.

**Now, I've had some time to think.**

**Nothing personal to what anybody said or spoke about on both sides of this issue in the last several months, but you played no role whatsoever in what is my own personal decision on this matter. Neither did my own religious beliefs. Unless you are willing to walk a mile in my shoes you will never understand the dichotomy of feelings that are within me.**

**I have two problems with backing off from lack of better terminology, fighting this.**

**Number one:**

**All matters of disagreement and/or appeals of district policy and procedure have a travel route that generally starts at the building level. In this case it should have started at Cranston West with the principal. When people are not happy at that level it then it travels to the superintendent. Finally, when issues are still unresolved it then travels to the School Committee.**

**In this case, no one was approached at any level, therefore, no one knows how, or, to what extent the complainant is offended. Perhaps if the Principal, Superintendent and/or the School Committee were to afford the opportunity to hear the grievance we would have some justification for removing or changing something that was thought of and designed with every good intention six decades ago.**

**The second problem I have backing off from litigation is:**

**If it was intended to be a prayer, in the truest sense, there is no mention of God anywhere. Now, I wasn't there when those words were written, but it seems to me that the author painstakingly wrote**

**those words to make it as secular as anything can be.**

**Now this is not Engel v. Vitale. In that landmark, 1962, United States Supreme Court case that determined that it is unconstitutional for state officials to compose an official school prayer and require its recitation in public schools.**

**No one is required to recite the words on the wall at West.**

**And these words do not closely resemble those words as Engel v. Vitale which read: Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country. Amen**

**Ladies and gentlemen, I'm not sure that we win or lose in litigation, but no response to litigation based on my own two significant problems with the complaint will be something that will bother me for the rest of my career.**

**Perhaps there is some common ground somewhere in all of this, or as the Mayor said today in the paper, "The Mayor thinks the prayer should remain at Cranston West as part of the school's tradition," but we at least need the opportunity to begin our response to the litigation which I believe is in order at this time.**

**As I stated earlier, as Superintendent, I am now responsible for all those decisions and actions made both past and present.**

**If you're asking me for my recommendation then I say we begin to place our attorneys in charge of defending ourselves in this matter.**

**Attorney Cascione stated –**

I am not going to get into a lot of opinions or potential strategies as this case has to be defended because it has threatened litigation but I just want to tell you why this is such a tough decision for this committee from a legal standpoint. There have been a lot of people talking about cases that are really like apples and oranges compared to this case. Probably the closest case that our Supreme Court, who by the way we can talk about the history of our Constitution and our Founding Fathers but the high court of this land interprets that Constitution and they laid down the law basically until they change their mind which on this particular issue they flip flop a number of times. Probably the closest case is the Van Orden Case (Van Orden v Perry 2005) which is the Ten Commandments that were placed in Texas on the State Capitol grounds. They had been there for forty years, nobody complained. The Supreme Court stated they have historical meaning, there was only one person that made a complaint. So that was going to pass muster but in that same case they said, historical meaning has limits though and they cited the case in Kentucky where they had the Ten Commandments in each classroom in the school and they said, no, you can't do that because it stands as an example of the fact that we have been particularly vigilant in monitoring compliance with the establishment clause in elementary and secondary schools and in the school systems. So it's a tough, tough, case. Now you heard about the Lemon Test which means for this to pass the Lemon Test it must have a secular purpose which possibly all the moral values have that. The principal or primary effect must be one that neither advances nor inhibits religion and it must



force excessive government entanglement with religion, i.e., is Cranston School Department promoting religion? There is an endorsement test that goes with that and cases that have followed that say it is the reasonable person. What they mean by the reasonable person is somebody who has knowledge of the historical background and the facts of his case. When they walk into that auditorium do they feel Cranston Public Schools are endorsing religion? May not be the case knowing it's been there for fifty years that really has the moral values. But the bottom line is it's not a black and white decision, nobody is here telling the School Committee you're definitely going to win or you're definitely going to lose. It's a very, very difficult case and who knows with the makeup of the new Supreme Court maybe they'll change that but there are no guarantees. And, I can tell you one thing for certain where I disagree with Mr. Young, if they lose the case they will have to pay the ACLU's attorney's fees. So they have all these things that are weighing on their minds. So, it's not an easy decision to make.

Mr. Lombardi stated – before I go into what I have to say, and I think as a member of the subcommittee, I think everyone knows how I voted the last time and how I intend to vote tonight. At that meeting, before I began, I said that one of the key roles of my being a member of this School Committee is the pride that I see in our students in Cranston and the quality of students that we produce in the city of Cranston. Again, I want to reiterate, Eric Borelli, Jessica Ahlquist, and Taylor Grenga, when you spoke not only before the subcommittee

and Eric you weren't there because you were vacationing in Italy, and tonight when you spoke, I want you to know, irrespective of how you voted and whether we agree or disagree with one another, all is well with the student body in Cranston. You all performed admirably, you spoke cordially and articulately, and most importantly on sensitive issues you spoke very professionally so I am very proud of you as a School Committee member.

That being said, Mr. Raposa I hate to take credit where it was given but Mrs. Culhane did not wear the three hats, it was me that was wearing the three hats that night and the three hats were one of being a lawyer, being an elected official, and being what the Providence Journal said of being a practicing Catholic, I guess I used that word. All three of those are inevitably intertwined and come into my role as an elected official and I said at that point that as an elected official I have the responsibility to the taxpayers of the city of Cranston and specifically Mr. Boscia, my good friend at that time at the subcommittee meeting asked me if this was a done deal and I suggested to Ray at that night that this certainly was not a done deal that we have worked very hard and we considered every position and every point and listened to everything that we got, every threat that was made to us, every person that was going to vote against us, every person that was going to vote with us and we kept an open mind, not only at that subcommittee, Mrs. Culhane, Mr. Traficante, and myself but throughout this entire process. I have read every single email that I have received. I watched the DVD presented to us by Mr. L'Heureux. I learned quite a bit Mr. L'Heureux when I watched

that DVD about our Capitol and the history. I knew quite a bit that the religion was inevitably intertwined with our government and has been for many, many years, for over 200 years. I learned about the picture of Columbus and I learned about the baptism of Pocahontas, and I learned about all the religious references in that DVD and I paid attention. I also listened to every single email that I received from Hooray for you for Keeping the Banner Up and Who Does the ACLU Think They Are to People to People telling me refusal to remove the banner would be breaking the law and then I got a canned response from 6 or 7 same people. When I say canned response I mean everyone put the same words together and just signed it at the bottom and tried to tell me in my way and in my position as a lawyer quoting the great Hugo Black, a Supreme Court Justice, how we are breaking the law if we don't remove it. And then I think it was finally summed up the best by one of last writers who reminded us we're dammed if we do and dammed if we don't. So as usually is the case, as School Committee members we never get unanimous support for what we do because of the nature of the beast. With that being said, and having read all of that, I indicated at that subcommittee meeting that, I think I said, was I might have said was, the Catholics were taking this one on the chin because this was inheritably a Catholic prayer on the wall and I suggested at that time that it was not and Maria Armental from the Journal actually quoted me as saying that the words heavenly father is generic. So I asked Maria before this meeting started what her definition of generic meant. What I meant was, and Maria is a much better writer than I am, what I meant to say

is that reference to Our Heavenly Father certainly has relevance to many religions and not to a Catholic religion or a Christian religion. So I went and looked online and I saw in fact it does have references and like Mr. Cascione said I read the Van Orden case and Madame Chair forgive me for being a little longwinded, I'm not going to take three minutes, it's my God-given right to take as long as I like as an elected official. When the Van Orden case was brought before the Supreme Court it was a display of a monument inscribed with the Ten Commandments on the grounds of the Texas State Capitol. In that instance, they ruled that it was constitutional and not a violation of the First Amendment for Texas to allow such an inscription on its' grounds and to my brother Mr. Cascione, brother in the law, but the Supreme Court did say in that opinion and I quote, "that we have been particularly vigilant in monitoring compliance with the establishment clause in elementary and secondary schools." However, they did go on to talk at length about the Lemon Test (Lemon v Kurtzman 403 U.S. 602 1971) and the three prong test that Mr. Cascione talked about and in fact actually said in the Van Orden case that the Lemon Test did not apply. It wasn't useful in dealing with this sort of, what they called a passive monument, or a historically passive monument. They used sweeping language like Mr. Paoella said earlier that simply having a religious content or promoting a message consistent with religious doctrine does not run afoul of the establishment clause. The cases that they cited where it did run afoul were cases in the public schools where the Ten Commandments were posted in every single classroom. This is not

that case. This is a very innocuous, very historical, and by the way I offer parenthetically, I can find no better justification for that monument than hearing it from the author himself. It is there, it is innocuous, it's not intended to be religious, he called it and I quote, "a non-denominational prayer." So it's not the test in Marsh v Chambers or in the Stone case where the Ten Commandments were being posted throughout the school. Interestingly, the Van Orden case dealt with a forty year passive monument, arguably, this is a fifty-one year passive monument that talked about conveying a secular moral message. In my opinion as a lawyer, ladies and gentlemen, I think the Van Orden case goes quite a long way in supporting our position to defend the banner at Cranston High School West. But I am not suggesting that we are going to win. The Supreme Court did talk about the two faces of this. One facing one direction looks towards the strong role played by religion and religious traditions in our nation's history. The other side talks about the fact our nation needs to separate itself from religions. But as a lawyer, as a practicing Catholic, and as an elected official I have an obligation to vote the way I have to vote and I try and keep my personal feelings at the door although I think it is inherently impossible to do that. As a lawyer I have my feelings, as an elected official, a lawyer asked me in an email that "my obligation is a civil one in the preservation of the highest quality of education" and he goes on the "dogmatic religious beliefs of some well-intentioned vocal minority will not prevail in court." Well I am not sure about prevailing in court but I am sure that as a civil elected official the

majority of the people of Cranston want this banner restored and kept and that is the way I intend to vote.

Mr. Traficante stated – I am not going to be as eloquent as Mr. Lombardi, I am not an attorney so I am going to speak to you from the heart. I am and I am not ashamed to say it, a person of faith and the older I get the more I embrace that faith and it is very, very difficult as one speaker indicated, to leave your feelings and your faith and your moral values at the door, especially in a case like this. You know I mentioned at the subcommittee meetings, I coached for twenty-five years and mostly in the Cranston School Department and before every single wrestling match or football game we said a prayer. We said a prayer, not to offend anybody, be it the parents or the athletes, but to pray to keep them safe during that athletic event. For fourteen years I served as mayor of this city of Cranston and every single event that I held, and there were many, I always invited the clergy to speak, not to offend but provide a spiritual message of hope to those who attended that event. I have spoken at the Bain Memorial Service for years as a councilman, as a mayor, as a School Committee member and we had the clergy there. Not to offend anyone but to pray for the freedom that we enjoy and inherited and pray for those who made the ultimate sacrifice. I also have spoken at graduation commencements over the years, both Cranston East and Cranston West and I always end my speech by saying, may almighty God hold you all in the palm of his hands. I say it not to offend but to keep those people safe and have a great life so it's very difficult for me to

keep my feelings at the door, my personal feelings and faith at the door and my moral values at the door. So it has led me to this opinion, you know this country was built as you well know on moral and religious principals which are clearly, clearly emulated on that banner. The banner's words, in my estimation, again I am not an attorney, does not endorse any particular religion. It's nondenominational. Heavenly father and amen as you well know are expressed by many, many faiths, therefore the banner in my opinion discriminatory. And the banner should not be construed as offensive because it subscribes to those qualities that we want each and every one of our children of all faiths to acquire, such as ethics and respect, sportsmanship, there is nothing wrong with those moral values. You know, ladies and gentlemen, it is our job as School Committee, not only to protect and advance the quality of academic education, it's also our obligation as School Committee members to protect and defend the moral values of our students and that banner helps us to express that therefore I will support defending the banner.

Mr. Lombardi stated – Mr. Traficante you reminded me of something and that I had brought up at the subcommittee meeting. The overuse and the misuse of the word offend. The word was used quite a bit that this banner offends people. I can't imagine how it offends people. I said it that night and I will say it again, you know, Swastikas offend me, burning the flag offends me, but a positive moral message that a child can choose or not choose to read certainly does not offend me

in any way shape or form.

Mrs. Culhane stated – I want to publically say that I agree with almost everyone that has spoken this evening. I am not saying tonight as I sit here that I am going to leave my morals and my ethics and my religion at the door. I don't see how anyone can just leave all that at the door no matter how they feel on this issue and I am not doing that. Don't clap, because you're not going to be clapping when I finish. I am not going to say that I want to see this banner taken down because that is not what I want. I am also not going to make apologies to the speaker who spoke earlier about saying that I think that the person who brought this lawsuit forward is a coward. If they were here in front of me tonight I would tell them that I feel that the way that they acted was with great cowardice. I do not have the option to sit here tonight and hide my opinion from you whether you agree with it or not. I have to come forward and give my opinion and give my vote and that to me is taking great courage for me to do tonight especially as somebody who has been raised as a Catholic Christian who is currently a practicing Catholic, as many of the committee who are here this evening, as are many of you. I teach CCD, I am raising my children with Christian values and moral values and I hope people will understand that because as I made the arguments that I made at the meeting two weeks ago, I did what I normally do after a meeting and I got on-line to ProJo.com and read some of the blog comments and there were some horrible, horrible things said about me. Somebody basically dammed me to hell and



said maybe if I am lucky enough to meet my maker I'll have to answer to him. And, I want to remind people as we are all talking about the Bible and scripture, the Bible says, Jesus Christ said, judge less not you be judged and that was from Matthew VII. So, I would hope that no one here is judging anyone else by how they vote or by how they are speaking or by what their beliefs are because there are a lot of us who have those WWJD bracelets. Think about it. What would he do if he sat here tonight and listened to some of you passing judgment on either myself or other people sitting here or people whose views differ from yours? So, I have to state the fact that by Rhode Island General Law, Section 16-2-9, we on the School Committee are given the entire care control and management of all public schools interests which include the educational needs, policy needs, and financing the budget. Now most of you here I don't see at our regular meetings. Some of you are, and some of you are very vocal but for the most part you don't come so I'm going to catch you up to speed a little bit. We are currently, currently in a \$6 million dollar deficit which we are currently paying back at about \$1.4 million dollars a year to the city. That does not include any other deficit that we may have this current year if we are not funded by the City Council and the Mayor. We have already cut approximately 222 full-time employees which actually amount to over 300 employees. Three hundred people no longer have jobs of one form or another in our district. Our students no longer have the gifted program, many of the sports have been cut, we've cut many of our music programs, so when Ms. Russo today, when she quoted from the Bible and she talked about the house

being on sand, our financial house on the School Committee is built on sand right now. The winds are blowing and the floods are here and we cannot afford any more debt to incur and I think that people need to understand that as I sit here with a possible lawsuit hanging over our heads. I am dealing as a School Committee member, as a fairly new School Committee member, I'm serving my first year of my second term, dealing with lawsuits that were started by committees before me and I'm having to deal with that debt now. I cannot in good conscious on a hope and a prayer say that I am going to have another School Committee, possibly after me because let's face it, this case, if it is fought, is going to go on for years and years and years and I may be long gone from this committee. I cannot sit where I sit and put that burden on another School Committee member sometime in the future for them to sit here and ten years from now and say, oh that School Committee, they didn't know if they would win that case and they took a chance and then they lost. I cannot afford, the children cannot afford, so many of you have written to us and said, please don't make our taxes go up, please don't fund education to where it needs to be and yet you sit here tonight and say, it's okay to take that Foxwood's gamble on the possibility that we may win this case and in a lot of ways it is a gamble. Our attorney just said it tonight. Mr. Lombardi who is in favor of fighting this lawsuit has said the same thing. We do not know if we are going to win. Now, can we find someone pro bono to pay for the defense of the case? I have no doubts about that. I am certain some good soul will come through. But if we lose we will have to pay back the ACLU fees and then what will we do? Where will all of

you be when we are going to sit here with another deficit and we have to tell our children that we are cutting more programs and that we're cutting more from their education. We're increasing their classrooms, cutting their teachers, because we have to pay for this night and that is where I sit. I could sit here and pontificate and tell you how from the time I was eight years old I was with a local ministry for ten years and then onto adult hood that traveled all across the world and spread the word of Christ through theatre. I have ministered to people, I have done food drives, I have worked in homeless shelters. I have done a lot of those things. Christ, when he spoke said we should be doing so when some of you are going to leave here and judge me based on that I hope that the God that I pray to every night will look at my life when I stand there by myself to only be judged standing there along by myself not with any of you who stand here tonight judging me and say to God I did all of this and I voted tonight in the best interest of the students of which I am charged to vote. So I will not be supporting the resolution to fight the ACLU. Not because I want the banner taken down, I can't see how anyone is offended by those words and while our students spoke so eloquently on how they feel I don't agree with them. I believe that if we had the money to fight this the banner should stay. But the fact is it's a guess and it's a gamble and it's not a gamble that I can allow my three children to have to pay the price for in the end.

Mrs. Ruggieri stated – I want to start out by saying I do believe that the message in the banner is not an offensive message. I can see

where Our Heavenly Father and the amen, while it may represent and have relevance to many religions it certainly does not have that relevance to all religions and that is where the crux of the matter lies for me. I wish that there were other options besides keep the banner and get rid of the banner. Originally when we talked about changing the wording of the banner and there are some things that I wanted to clear up by some of the speakers tonight. Originally when we talked about changing the words of the banner, in print the ACLU originally had said no. Then they came back and said that they would be willing to sit down and listen to alternative wording. Alternate language, this wording would clearly resolve any and all controversial concerns raised by the present display. So, the ACLU's action position was that they were looking for a rewording. I believe I am accurate in saying that it was at that point that we were threatened with an additional lawsuit that if we did take the banner down we would be sued. I really do wish that whoever the person was who had an issue with this banner had gone through the proper steps. There was a person who had an issue with this banner years ago and they do go through the superintendent at the time and the principal at the time and they were able to resolve their issue without it getting to this point. It is unfortunate that this is not what happened this time. It is unfortunate that we are in a financial position that we do have to take into account any money that we're looking to spend or any money that there is a possibility that we will have to spend and I am not willing to spend a penny on anything other than education right now. To disregard the people who, and I will use the word offended because I'm not really

sure what other word to use, to disregard the people that it has offended and it has offended people I think we really do need to recognize and address the fact that it has offended people. I think that telling people to turn their eyes is not showing tolerance and to not allow these people the recognition of their opinion is not showing tolerance. In addition, this pro bono that keeps getting thrown around. We've been told that yes maybe we would get defended for free but if we lose, we're going to have to pay. We know this; we cannot afford this right now. I just...I really honestly wish there was another option besides keep it or let it go because as I have said before, I think that the heart of the message is something that we all should strive for and it certainly is something that I teach my children because I teach my children morals and values. As a parent that is my responsibility so I don't believe I can support keeping the banner because I believe it would cost the city too much.

Mr. Bloom stated – I didn't come into this meeting with my mind made up. I was not at the subcommittee meeting. I wanted to hear the testimony of the people who took the time to come and speak tonight. I had the opportunity to read the minutes of the last subcommittee meeting. I have been deeply troubled by the conflict we seem to be going through. It is unfortunate but this exhibits almost a lack of civility in our culture that been alluded to and it makes for a very difficult decision because I don't think anybody is going to be happy about the outcome here. I've discussed with our counsel the possibilities of the outcomes in this particular case and as our

counsel indicated to you tonight, it's not a clear cut decision and frankly I think that the banner should have its day in court because as one gentleman said tonight, the majority should not be bullied. I personally do not find the banner offensive. I happen to be Jewish. I can attest to you that I haven't seen in any prayer book in a synagogue the words heavenly father but I was born forty-nine years ago and forty-nine years ago when I went to school we didn't get days off for Rosh Hashanah or Yom Kippur and I learned that's just the way it was and I dealt with it. And so, things that some people might find offense, I don't because I was raised at a time and Mr. Bradley this is probably no one complained about it fifty or sixty years ago because our culture was different fifty or sixty years ago. In 1896 Plessy v Ferguson in separate but equal were the same things were and what's happened over time is that we have learned in many respects, we see it unfortunately sometimes in a lack of civility, but we have actually learned to be more tolerant in the difference between people and we are trying to implement them in schools and throughout other public places. So, it's not fair that the majority be bullied out of having something that they think is important articulated. But at the same time we need to find a balance for even if it's one person who's offended by it and I can't necessarily explain why they're offended by something. I think many of you, I'm looking at the faces here and many of you have I am sure seen the movie To Kill a Mockingbird. I will have to be honest with you I am ashamed to be here tonight and to hear sometimes a complete lack of insensitivity for someone to say turn and don't look at something.

How do you know how someone feels? I am sure there are things that you have found that have been offensive and if someone turned to you and said, don't look at it, you would be appalled. So the real issue here is how to we find a balance between people and want and many people are wearing a sign that says, keep original banner, and those of you who are upset over something for whatever reason it is. It's not for us to dictate why they're upset and whether or not it's reasonable or not. They are so how do we find a balance so that we can address everybody because all of these students have to go to school here and this isn't about you and me, this is about the students. Imagine you're back in high school and you all remember how difficult it was, hormones raging, trying to get an education and now we have to deal with something else, whatever reason it is, they feel excluded. Unfortunately we are in a situation right now where we don't have an opportunity to obtain that balance. We are faced with a lawsuit that says take it down. I did hear a suggestion tonight, I think it was Ms. Paquet, suggested putting up other banners. Now that would be a reasonable solution that might address everybody's concerns but we don't have that option. Unfortunately we do not and we are faced with rolling the dice on a lawsuit which the city, not the school district, please bear this in mind, we have no money. Any money that the school district has is legally appropriated by the city. So what do we do? I don't want to be bullied; I think the banner deserves its day in court. The counsel has indicated it has the opportunity to prevail and then the best outcome of all would be to have a multitude of banners up there so everybody who went to

Cranston West felt included in the school but we don't have the luxury of negotiating that right now because we face rolling the dice. So in conclusion I don't see how we can get ourselves out of this box. I would like to see its day in court but unless we can go back to the ACLU and negotiate something that would be satisfactory to everybody. I have to vote against the resolution as it is written right this moment. If there are amendments to it that will go forward and allow it to have the banner's day in court and we can find a way around it I am all for that but as these resolutions for currently presented which is to...without a modification, without other banners up on the wall, I can't support something right now which is insensitive to other people.

Mrs. Culhane stated – I promised one of my constituents that I would mention this. Is Mrs. Downs here tonight? I don't know if she is here. Margaret Downs is one of my constituents. She was an art teacher at Cranston West in 1958 and she and I have spent countless hours actually speaking about the banner and a lot of the different aspects of it and how it came to be and she did have one suggestion that may at some point in time, whatever the outcome is here tonight, be something that we could all think about. Her suggestion was that we could take a high resolution photograph, if this is to come down someday, make sure that we preserve it somehow and have it framed, life sized on a large size on some sort of canvas high resolution photograph and then that picture will then become an actual historical document in the history of things that happened in



**Cranston West for all of the students to be able to have either somewhere in the school or in an office building or something for the class to actually have at some point so they can actually preserve it and it was suggestion that was given, remember people by a woman who taught in 1958 so please do not boo this lovely 82 year old woman's suggestion.**

**Mrs. McFarland stated – I am going to be brief this evening in my comments. I have listened to everyone; I've read all of the minutes that have been presented to us. I don't think there is much for me to continue going on with my colleagues who have presented their reasons, their rationales for why they feel the way that they do. I can personally tell you from my own account of being raised, I think I have very strong moral values. I think I have raised my own child that way. I think my entire family are that way but our religious beliefs have always been, my father was Catholic, I went to Catholic schools for a time period of my life, my mother was Jewish and my grandparents were practicing Jews. So I spent much of my life not only having the opportunity to celebrate my own religion that my father actually instilled upon us but also my wonderful grandparents who I think instilled a lot of great values in me with their Judaism and given that I think I was able to do the same with my own child. I don't practice my religious beliefs much anymore except for my own personal values of what I believe but I will say the school was built on the ability for all of us to have the opportunity to show ourselves whether it was in sports, music, art, whatever you wanted to**

accomplish academically. If you wanted to go to trades school or you wanted to go on to college or right into the work force but we have built into the walls of our schools is an opportunity for everyone to speak of who they are while they are there. I won't ruin that for anyone no matter how many decades ago that occurred. I want to hold true to everything that occurred for my daughter through all her years at Cranston and for all that came before and those that will come after her. We all have a right to believe in what we believe and I wish there were an easy outlook for this but I have to do what I feel is best and I think every student who leaves their mark on their school has a right for that mark to stay as such, I will support the banner staying in the school and support any future banners that will enlighten anyone's personal beliefs because that is what our public school system is built on. It's not built on us. If we want to have the privacy of believing whatever we want to believe then we should attend those schools, those academic walls, that will give us what we feel, whether it's religiously, if it's a boarding school, whatever you may choose for your child you should do that but publically we should respect every students that has left their mark upon our schools and I will do that this evening.

At this point in the meeting Mr. Lombardi assumed the chair.

Ms. Iannazzi stated – Most of you keeping track can add to three and realize that is three to three right now. I am not going to bring my own personal religion or sense of being into this debate. I think most of

**Cranston knows where I went to high school and what my own religious beliefs are but I'm just going to say, as an attorney when I took Constitutional Law at Suffolk I learned that this country was founded not on freedom from religion but freedom of religion. Each person has the ability to practice whatever religion they want. That does not mean that they have freedom from religion being practiced. I support keeping the banner at Cranston West. That support is not based on religion. That support is based on a history and a tradition and sense of what Cranston stands for. Cranston stands for the code of being and the morals that are expressed in that banner. Cranston tradition is rich and Cranston's tradition deserves to remain at Cranston West for years to come. I just want to say to the organizers on both sides, I think that you all did your civic duty here tonight, you expressed yourself well. Cranston's future is certainly bright in all of the students that did speak. I just wanted to echo Mr. Lombardi's comments about that. But I just also wanted to let you know that your work is not done. This School Committee has been begging and pleading at every single meeting for people to come to our meetings, for people to support Cranston Public Schools and you took a great step forward tonight but your work is not done. We need your support when we go to the council. We need your support when we go to the mayor. We need your support in funding Cranston Public Schools so that we can continue to provide a quality education to the students of Cranston.**

**Ms. Iannazzi resumed the Chair.**

**Mr. Lombardi stated – Madam Chair, long time ago Judge Needham told me when you're ahead, shut up but a couple of things that I heard tonight. Please understand the issue. Let's not make the issue bigger than what it is. This is a simple banner in a simple auditorium with a lot of blank walls. This is not the Cranston School Committee, assuming you think the vote is going to go the way you think it is going to go, assuming and endorsing a certain religion. This is not Cranston School Committee forcing all of our students at Cranston High School West to come into that auditorium and recite that prayer and a few of my colleagues made a reference to turning your eyes. I don't know that I heard that tonight from anyone up here. It may have come from out there but turning your eyes isn't the issue. We're not asking the students to turn their eyes, it happens to be, in my opinion, a non-secular banner with a religious, arguably a religious overtone but with secular and historical significance on the right hand side of a wall in an auditorium and that's all it is. We're not making our kids cite the Lord's Prayer, we're not making our kids recite the Ten Commandments, and we're not doing any of that. They are not taking it home, they're not required to have a picture of it in their wallet, this is a very particular, very, very, and fine issue that we are talking about here and that is what we are doing tonight. We're not making history, we're not doing anything. We're recognizing a secular historical banner that's been there uninterrupted for sixty years and that is what we are doing tonight.**

**Mrs. McFarland stated – I just want to say again that I want to repeat again that I said there was no religious value although my colleagues seem to be a little different that there be some tendency for people to feel that way. I think it is an artistic approach. You have students that leave their mark every day. They draw, they play instruments, they write academic papers, we cover our hallways with all kinds of work that our students do. Clearly this is a past work of one of our students. I don't have it to have any religious tone to me whatsoever. I've danced on that stage; I've been friends with kids that went to Cranston West for many years of my life. I've never viewed it but anything but part of their school for what it stood for and I felt the same way about all the things in the schools that I ever attended. Those were the past students who left their mark for future students to come. We do at that at the college level. We make sure that everyone realizes who we want to be and who we want to become. I feel very differently when I look at in my perspective. Secondly I just want to say for the second resolution, I offer a friendly amendment when it does come up, when we do get to the resolution that clearly I think that it is time that the Cranston School Committee and the Cranston City Council sit down and have a discussion publically and maybe all of you can attend that. Maybe all of you can show up so that we have both sides sitting in the room and let's talk about the fact of how we're going to educate our children in this city. How we're going to pay for our services and how we are going to legally uphold anything whether it's on the city-side because the city-side as well as the school side there are always lawsuits that crop up on both ends**

in regards to all the things we do on a daily basis. So I think I would offer that amendment that we come back and we publically sit together and discuss all the issues that we not only spoke about tonight but that has been going on for some time and that will crop up in the future instead of just asking the City Council to in a resolution saying, here go ahead, pay for it if we can't pay for it or give us more money in our legal line of our budget but let's really have a candid conversation so that everyone can publically come here like you do this evening and listen to both sides.

Chairperson Iannazzi asked if there were any more comments on Resolution 11-3-1.

Mr. Bloom stated – I think we would be remiss if we did not continue with this issue in another manner. It's apparent that someone is not happy who took this all the way to the ACLU and some students have come tonight and expressed their unhappiness with what we have there and as I alluded to and some of the comments that I made, I think we should look at being more inclusive to bring in for some things that some of these other students, for whatever reason, feel left out.

Chairperson Iannazzi asked if there were any more comments. There being none the roll was called:

Mr. Bloom No    Mrs. Culhane No

**Mr. Lombardi Yes   Mrs. McFarland Yes**

**Mrs. Ruggieri No   Mr. Traficante Yes**

**Ms. Iannazzi Yes**

**The resolution passed; four to three.**

**Sponsored by Mr. Lombardi, Mr. Traficante, and Ms. Iannazzi**

**NO. 11-03-2 – Whereas a subcommittee of the Cranston School Committee was formed to recommend possible solutions to the ACLU lawsuit, if filed, regarding a banner at Cranston West;**

**Whereas the subcommittee met and recommended defending Cranston against the ACLU's lawsuit;**

**Whereas the Cranston School Committee is a party to a deficit reduction plan and does not wish to expend funds on litigation to defend this suit;**

**BE IT RESOLVED that the Cranston School Committee hereby requests the Mayor and Cranston City Council retain legal counsel to defend this lawsuit, if filed, on behalf of the Cranston School Committee.**

**Moved by Mr. Lombardi; seconded by Mr. Traficante. Discussion.**

**Chairwoman Iannazzi asked Mrs. McFarland if she had an amendment to offer.**

**Mrs. McFarland stated – I don't know exactly what you want to use for language but I really think we should have a public hearing requesting that the Mayor and the City Council have some type of joint meeting before we move forward with any type of...**

**Chairperson Iannazzi stated – we can have a joint meeting to discuss funding, however, we cannot have a joint meeting in public to discuss legal strategy.**

**Mrs. McFarland stated – no, I agree with you on that but I meant how we were going to go about this and publically we know where they stand and we can make a better decision as to whether or not we pursue a legal avenue or further discussion or someone that was willing to take on the case.**

**Mr. Lombardi stated – respectfully to my colleague, we have just passed to defend the banner so...I appreciate what you are saying and I think we need to send the message to the council – are you or are you not going to pay for the defense of that and then depending on what that response will then trigger what we do in terms of what we do in speaking with this Liberty Group of all these other groups because I for one, even though we have prevailed tonight, we need to try and solicit free legal pro bono legal work on this matter.**



**Mrs. McFarland stated – and back to my colleague, Mr. Lombardi, what I am saying is I think that you should try to have some type of public conversation instead of sending a resolution next door that doesn't really have any bite to it asking them to pay for something and they can just respond back and say no and then you still should be pursuing those avenues anyway of free legal...we should be pursuing that anyway. If anything our resolution doesn't say anything about doing that. Right now the only thing this resolution says which I cannot support is that it actually says send it over to the Mayor and City Council and ask them to pay for it. It does not say anything in there that we will pursue the avenues that are free and available to us.**

**Mr. Traficante stated – Paula I know where you are coming from. I am going to support this resolution for one reason. You know I know the mayor has made a comment, he talks the talk. But I am very interested to see exactly where the council falls on this issue and where the mayor falls on this issue. I want to see them walk the walk. I want to see them express themselves in terms in whether they support it, defend it or not defend it. I think you made a good point though.**

**Mrs. McFarland stated – I just think that shouldn't be done in the Cranston Herald, or the Providence Journal, or Channel 10, 12, or 6. I think it should be done amongst us with the city with the people from our community in the public where they can come and hear it instead**

of those people voicing it into the newspaper instead of us. The mayor didn't voice it to me, he voiced it to the paper or wherever it was written down. I haven't received correspondence from the council, mayor and no support for our budget going forward publically either. I don't know if I can support that this evening.

Mrs. Culhane stated – I agree with Mrs. McFarland. I think that my reason for voting on the previous resolution was coming from a standpoint of trying to be fiscally responsible you know as somebody who is trying to derive and maintain a budget and I think this resolution is being awfully presumptuous that before we at least sit down and discuss the opportunity with the council that we would just ask them to pay for it. I might be able to support this resolution if it has some kind of verbiage that Mrs. McFarland mentioned but to go to the city while we are already \$6 million in debt to them and trying to pay them back and on top of which we have already asked for the cap of what we can ask for in our own budget I think it is very presumptuous of us to go to the council and say, oh, by the way, we would like you to defend our lawsuit.

Mrs. Ruggieri stated – I agree with Mrs. McFarland as well. I think that us not having language in there that says we are still going to pursue the avenue of pro bono or any type of reduced fees for the legal services by not having it in there and just asking them or maybe we're expecting them to now do this I'm not 100% sure but I'd like to see that language added in.

**Mr. Lombardi stated – I understand what my colleagues are saying and could I suggest that we add the following language:**

**Friendly Amendment (note italics)**

**Sponsored by Mr. Lombardi, Mr. Traficante, and Ms. Iannazzi**

**NO. 11-03-2 – Whereas a subcommittee of the Cranston School Committee was formed to recommend possible solutions to the ACLU lawsuit, if filed, regarding a banner at Cranston West;**

**Whereas the subcommittee met and recommended defending Cranston against the ACLU's lawsuit;**

**Whereas, the School Committee, by a vote of four to three, recommended defense of the ACLU lawsuit and to keep the banner in place and,**

**Whereas the School Committee create a special sub-committee to pursue among other things, the interviewing of various firms with the goal of pursuing a defense of the lawsuit on a pro bono basis and**

**Whereas the Cranston School Committee is a party to a deficit reduction plan and does not wish to expend funds on litigation to defend this suit;**

**BE IT RESOLVED** that the Cranston School Committee hereby requests an opportunity to meet with the Mayor and Cranston City Council for purposes of discussing the retention of legal counsel to defend this lawsuit, if filed, on behalf of the Cranston School Committee and/or in conjunction with a pro bono law firm recommended by the sub-committee of the Cranston School Committee.

**Chairperson Iannazzi stated – so Mr. Lombardi’s amendment was accepted as a friendly amendment is there any discussion?**

**The roll was called; all were in favor.**

**There being no new business to come before the School Committee and no public speakers on non-agenda items a motion to adjourn was made by Mr. Lombardi and seconded by Mrs. Culhane. All were in favor.**

**Future meetings will take place on March 16, and March 21, 2011.**

**Respectfully submitted,**

**Frank S. Lombardi**

**Clerk**